# COMMONWEALTH OF KENTUCKY CABINET FOR HEALTH AND FAMILY SERVICES DEPARTMENT FOR MEDICAID SERVICES

IN RE: OPTOMETRIC CARE TECHNICAL ADVISORY COMMITTEE MEETING

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February 6, 2020 1:00 P.M. Cabinet for Health & Family Services Thompson Conference Room 275 East Main Street Frankfort, Kentucky

### <u>APPEARANCES</u>

Matthew Burchett CHAIR

James Sawyer Steve Compton Gary Upchurch TAC MEMBER PRESENT

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CAPITAL CITY COURT REPORTING TERRI H. PELOSI, COURT REPORTER 900 CHESTNUT DRIVE FRANKFORT, KENTUCKY 40601 (502) 223-1118

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## APPEARANCES (Continued)

Lisa Lee
Stephanie Bates
Angela Parker
Michelle Rudovich
Sharley Hughes
Charles Douglass
Sheldon Robinson
MEDICAID SERVICES

Jean O'Brien ANTHEM

Cathy Stephens HUMANA

Candace Gurley
AETNA BETTER HEALTH

Stuart Owen WELLCARE

Sean Pleasant PASSPORT

Nicole Allen Mel Taylor Dale Miracle LeeAnn Ellis AVESIS

Ronnie Smith Jessica Swick EYEQUEST

Sarah Unger Dinah Bevington KENTUCKY OPTOMETRIC ASSOCIATION

Cindy Holman COMPTON & COMPTON EYE CARE

#### AGENDA

Call to Order

Attendance/Introductions

Approval of November, 2019 TAC Minutes

#### Old Business

- \* Any issues with new foster children with the vision contractors that begin on 1/1/2020?
- \* DMS update on dental code for no shows. Any options available for other provider types?

#### New Business

- \* Vision Fee Schedule delete 92225 and 92226. add 92201 and 92202
- \* Confirmation that new MCO contracts will not begin until 1/1/2021
- \* Co-pay discussion (Dr. Compton or DMS can report what was explained at MAC)
- \* MPPR Portal update:
  - How many optometrists have an account on the portal?
  - How many optometry offices have been on the DMS webinars in January?
  - Can optometrists only submit license in the portal for their 2020 renewal?
  - What happens if KBOE and Medicaid are able to share file of licensed optometrists in 2020 do optometrists still have to upload license on portal?

MAC Recommendations for March

2020 Optometric TAC Dates:

May 14, 2020 August 6, 2020 November 5, 2020

1	DR. BURCHETT: Is everybody
2	ready?
3	MS. HUGHES: Dr. Burchett, just
4	as an FYI, Commissioner Lee will need to leave a
5	little early and so does Michelle Rudovich who is
6	with Program Integrity.
7	So, if we could get them on the
8	first thing right after the introductions, that would
9	be great.
10	DR. BURCHETT: That's exactly
11	what we're going to do.
12	MS. HUGHES: Okay. Thank you.
13	DR. BURCHETT: So, let's get
14	started, everyone. Thanks for showing up again. I
15	know a lot of faces but some I don't, so, we will do
16	what we normally do - go around and everybody
17	introduce who they are and what they are doing here.
18	(INTRODUCTIONS)
19	DR. BURCHETT: Thank you,
20	everyone. So, I guess we're going to jump right down
21	to the end of the agenda where we normally ask
22	questions of the Department. We'll let you all go
23	first and kind of tell us what's happening now.
24	COMMISSIONER LEE: So, I'm Lisa
25	Lee. For those of you who don't know, I am returning

to Medicaid. I have sixteen years previously in the Medicaid agency. I served in a lot of different roles when I was here previously. So, I have a big, broad-based knowledge of Medicaid and how the programs interact together.

As you know, one of the big initiatives from the previous Administration was Kentucky HEALTH. It was a waiver that had various components in it.

We have submitted a letter to withdraw that waiver except for some components such as the substance use disorder piece that was outlined in the waiver.

We have also been looking at the copay processes and maybe what we can do to either waive those or eliminate those. They are in statute right now. So, we have to look at that but that's something that we are exploring.

The goals of this

Administration and some of our initiatives include

outreach and enrollment efforts. There has been a

significant drop in the number of children that are

enrolled in the Medicaid Program and in CHIP.

We want to conduct an outreach campaign to find those children and get them back

into the program because we all know that early intervention is a key to having those children healthier as we go forward.

And along those lines, we also want to increase access to care for our individuals. We want to make sure that they are getting the right services at the right time.

So, those are some of the initiatives that we have right now, and I think later on as we go along, Stephanie may be able to speak to some more things that are happening in the Division, but I am very happy to be back.

I have worked with many of you before and look forward to working with you to make sure that our population gets the services that they need.

DR. BURCHETT: Excellent.

MS. BATES: Charles, do you want to speak to the vision codes?

MR. DOUGLASS: Sure. I put in a change order for the vision codes requesting that they be a high priority, and I just got a message before I came here that they're going to push them on through.

So, they may very well be in

there by close of business tomorrow, if not Monday, and the other ones will be end-dated as requested.

MS. BATES: And, then, you all had something on here about the MCO contracts. So, we are now in open procurement obviously. So, we can't really say a whole lot, but they will be awarded for a start date as of right now of 1/1/2, so, just to confirm that.

DR. BURCHETT: That's what we heard. I was just making sure that that was when it was.

MS. BATES: So, that's that. And, I guess, do you want to go ahead and jump in here?

Thank you. I have a handout. I know I don't have enough for everyone in the room, but my understanding is it will also be emailed later.

MS. RUDOVICH: Okay. Great.

So, in response to the questions that were posed, the first question I received were the number of optometrists on the portal. And the information that I have received from Provider Enrollment which is a Branch of the Division of Program Integrity is that we have 105 optometrists that have an account on the portal.

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Many optometrists are also working with credentialing groups. So, on the portal, there are 111 credentialing agents that have started enrollment applications or who have updated applications for a total of 193 optometrists' information.

Please stop me if you have any questions and I will just keep moving along through the questions that I had received.

There was a question posed about how many optometry offices have been on the Medicaid webinars in January, and the response that I received was that there have been 55 optometrists or optometry groups that have attended the January DMS webinars.

I have also outlined the website for the webinars, and hopefully that link will be live or one that you can just cut and paste when the email is sent and also the dates for upcoming webinars for your convenience, as well as some training materials.

The third question that I received is in regards to if optometrists can submit their license information on the portal for the 2020 renewal and that answer is yes. I have outlined the

KRS that is applicable.

And, then, the last question I received is in regards to whether we could have a file-sharing arrangement for the licenses to be updated.

And that answer is also yes and is something that we would love to engage the Board in. We're actually in the process of doing this with other boards and it's been successful so far.

I have included my email address in response to the last question. And if a representative wants to contact me, we can make arrangements, which for other boards, from the feedback I have been receiving, it's been an asset to providers.

If they have updated their license with the Board by a certain deadline, then, the Board forwards the information to us. So, that way they know and they will have to go into the portal for that piece of it. So, that's certainly something that we would love to engage this Board with as well.

DR. BURCHETT: Sure.

MS. BATES: Do you all have any questions for Michelle?

MS. HUGHES: And I will email this to you all so you don't have to retype that link to get into the webinar.

DR. BURCHETT: I do practice with one of the people on the Board of Examiners.

So, I will pass that along to him and see if we can facilitate maybe something happening there.

 $\label{eq:MS.UNGER: I think we've} % \begin{center} \begin{cente$ 

DR. BURCHETT: Have they? Okay.

MS. RUDOVICH: I think that they
have and I think those just need to continue, but
that's something that we can definitely do.

MS. UNGER: But going back to the second-to-the-last question, so, they should not be sending in like their paper copy. You have to use the portal to submit your copy of your license, correct?

MS. RUDOVICH: Correct, yes. We would like for everything to go through the portal at this point. We do have members of our staff that are available to assist providers if there are questions or if they encounter any problems but we would like to use the portal for everything at this point.

1 DR. COMPTON: Have you gotten 2 any feedback on how user-friendly it is? 3 MS. RUDOVICH: The responses 4 that we have received is that providers like the 5 ability to engage in the portal, that they find it easier to communicate with members of Medicaid that 6 7 are addressing the applications. 8 We've had some contact with 9 members of the community that access portals in a variety of states and we've heard good feedback for 10 how Kentucky's is as compared to other states. 11 12 But certainly if there's 13 additional feedback, we'd love to hear it and take any constructive criticism or praise of the portal 14 15 back to the team that works on it. DR. COMPTON: We're struggling a 16 17 little bit, right? 18 MS. BATES: With the portal? 19 MS. HOLMAN: Yes. 20 MS. RUDOVICH: My email address 21 If you would like to email me, then, we can 22 have a dialogue about it and see what the specific

can identify the issue.

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issues are, or if you have a card that you'd like to

provide after the meeting, we can certainly see if we

DR. COMPTON: Maybe it's just us. That's happened before.

MS. RUDOVICH: If it is a more widespread issue, we certainly welcome all feedback, but we do want the portal to be user-friendly and it to be an asset for providers. So, we certainly welcome any feedback and have been taking all feedback, both positive and negative, back in development.

DR. COMPTON: Thank you.

MS. BATES: I really can't think of any more updates other than we're deep in the throws of a budget session. So, you can imagine, there's people running around everywhere; but if you have any questions for us, we're happy to try and answer them.

DR. BURCHETT: I do have one actually. When you mentioned the number of kids enrolled is low, do we know why that happened?

COMMISSIONER LEE: We don't. We have been looking at our data to see what the disenrollment reasons are. We can't pinpoint it to any one thing. It could be a variety of different issues.

At first, we thought maybe they

were disenrolling and maybe moving into private insurance or something like that, but a national report just came out yesterday or maybe the day before detailing the number of uninsured children nationwide and Kentucky was in one of the top ten, eleven states that showed a significant decrease in children.

So, we're not sure if it's some of the policies at the national level or some confusion, but it's on our radar and we're definitely going to do another outreach similar to what we did when we first implemented KCHIP.

And, then, again, when we eliminated that paper application, we had a huge outreach and increased our child enrollment. So, you will see some uptick in our outreach efforts to increase the number of children.

DR. BURCHETT: Thank you. Steve, you had something on there about the copay discussion.

DR. COMPTON: Just what I remember that by statute now, it's mandatory.

Previously maybe it had been optional and the MCOs elected not to charge the copay.

MS. BATES: So, the way it was

1 before, before it was mandatory was fee-for-service 2 did have copays, but for MCOs, they had the ability 3 to waive them and most of them waived most of the 4 copays. And, so, then, it went to mandatory and 5 that's what the Commissioner is talking about is we're taking another look at that and possibly 6 7 allowing the waiving again or eliminating them 8 altogether. 9 DR. BURCHETT: That would be 10 great. 11 COMMISSIONER LEE: We'll keep communications open about that. 12 13 DR. COMPTON: It can be a 14 barrier to care. 15 MS. BATES: It's just not, from 16 this perspective, not something you can just switch because you have system changes and regulations and 17 18 statutes and you just have to make sure you get all 19 the stuff right, and money, money also. 20 DR. COMPTON: Do you want me to 21 touch on that dental no-show code? 22 DR. BURCHETT: Yes, go ahead. 23 DR. COMPTON: We can't use it. 24 There's no CPT code for a no show. That's a dental

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code and they've got their own set of codes.

1	unless we can get the AMA to add that CPT code to the
2	book
3	MS. BATES: Which wouldn't be a
4	bad idea if you could get them to add it, right?
5	DR. BURCHETT: Sure.
6	DR. COMPTON: Maybe just to
7	track stuff.
8	COMMISSIONER LEE: Any more
9	questions for the Department? If not, I might sneak
10	right out. Michelle and I both have another meeting.
11	MS. BATES: And I'll stay until
12	2:00.
13	MR. BURCHETT: Thank you. So,
14	let's go back and I will ask if there's a motion to
15	approve the minutes from the last meeting?
16	DR. COMPTON: So moved.
17	DR. UPCHURCH: Second.
18	MR. BURCHETT: Any discussion on
19	that? All in favor of approving the minutes from the
20	last meeting, say aye. Those are approved.
21	I think they have just about
22	gone over everything on our list.
23	MS. HUGHES: You all may have a
24	short meeting.
25	MS. ALLEN: Dr. Burchett, may I

1	ask a quick question?
2	DR. BURCHETT: You sure may.
3	MS. ALLEN: Are the meeting
4	minutes still posted on the website? I haven't seen
5	them recently and I wonder if I'm overlooking them.
6	I know the website has changed.
7	MS. HUGHES: The last meeting
8	will be after today. I don't put them out there
9	until the TAC actually approves them.
10	MS. ALLEN: Okay. Thank you.
11	DR. BURCHETT: So, we've got
12	another item under Old Business of the foster
13	children process. Are there any other updates on
14	that process? Everything is kind of where we left it
15	last TAC meeting?
16	MS. ALLEN: No news is good
17	news.
18	DR. BURCHETT: Okay. Good. Is
19	anybody having any trouble?
20	DR. UPCHURCH: Right now it's
21	working well. Of course, everything has just flipped
22	over to a new year, so, everybody that we're getting
23	in hasn't had time to
24	DR. BURCHETT: Have that other
25	exam.

1 DR. UPCHURCH: ----have had 2 that other exam. So, we really don't know for sure. 3 DR. BURCHETT: And that usually 4 comes midway through the year for me when I start to see stuff. Okay. 5 DR. UPCHURCH: We have not had 6 7 any issues getting it corrected, though, when it did 8 happen. 9 DR. BURCHETT: I've got two other things to bring up under maybe New Business 10 11 that came to mind while I was driving up here. One is any of the MCOs that 12 13 aren't currently offering adult glasses, are they planning on offering that benefit coming this year? 14 15 MS. ALLEN: To my knowledge, for 16 the MCOs that Avesis administer, those that are offering are currently and will continue but we have 17 18 not received notification that there will be anything for 2020. 19 20 The 2021 benefits usually are 21 not billed or decided upon until that June/July time 22 frame. So, we'll know for 2021 if anything will move 23 forward. 24 DR. BURCHETT: Okay. And I

assume Anthem is still continuing?

1	MR. SMITH: Continuing to do it,
2	yes.
3	MR. BURCHETT: Okay. Fair
4	enough.
5	And, then, does anybody have
6	any other New Business that has come to light since
7	we last met?
8	DR. COMPTON: Is the intent
9	still with the foster children to have them all under
10	one carrier?
11	MS. BATES: So, the contracts
12	that are out there, you can see out there on the
13	Finance website, they're made public, the model
14	contract that is associated with the RFP and it still
15	has the foster children in the one program and the
16	adoption subsidy for children are optional.
17	DR. BURCHETT: The only other
18	thing that I had thought about, too, I know we sent a
19	recommendation to the MAC for the vision benefits to
20	go to the vision carrier and the medical benefits to
21	stay with the parent MCO before. Is that right,
22	Steve?
23	DR. COMPTON: We did. We made
24	that recommendation.
25	DR. BURCHETT: Would it be the

1	will of the TAC to make that recommendation again
2	because we have a new contracting situation?
3	DR. COMPTON: I guess the one
4	question, is it necessary since we've made it once?
5	MS. BATES: What was the ask?
6	I'm sorry.
7	DR. COMPTON: The recommendation
8	- I don't know when it was - was to let the
9	subcontractors, the vision plans administer the
10	vision benefits and the MCOs administer the medical.
11	MS. BATES: Is that not what's
12	happening now?
13	DR. BURCHETT: The vision
14	contractors do all of them.
15	MS. ALLEN: At Avesis, we have
16	the
17	MS. BATES: Tell me how it
18	works.
19	MS. ALLEN: At Avesis, we have
20	the ability to administer the full service. So, we
21	do eye medical as well as routine, and the request
22	that was submitted to the MAC was to separate the
23	two.
24	I'm curious, what was the
25	response that you received from the MAC?

1	DR. COMPTON: Well, the MAC
2	approved it and passed it on to DMS.
3	MS. HUGHES: You didn't get a
4	response?
5	DR. COMPTON: Well, there's been
6	no new contracts since then. So, I'm sure we got a
7	response and it was something along the lines we'll
8	take into consideration.
9	MS. BATES: So, what is your
10	reason for wanting that? I'm just curious because in
11	my mind, I would think you would want everything to
12	go to one. I'm just curious.
13	DR. COMPTON: I'm going to step
14	on - this is me talking and I will probably step on
15	some toes.
16	MS. BATES: That's okay. I do it
17	all the time.
18	DR. COMPTON: We have more
19	headaches and more issues billing vision plans for
20	medical benefits than we do if we bill the MCO
21	directly. They do that all the time.
22	MS. BATES: Got you.
23	DR. COMPTON: And the vision
24	•

if it's a vision diagnosis, but we run into all sorts

1	of issues
2	MS. BATES: Like denials?
3	DR. COMPTON: Denials, don't use
4	CPT coding like the rest of the world, prior
5	approvals. There's just a lot of hurdles and
6	roadblocks. It's just not as smooth. It's probably
7	80% of our hiccups. I'm guessing at 80.
8	DR. BURCHETT: Remind me. It's
9	been a while and I can't remember yesterday. Wasn't
10	there some issues, too, with like when you had a
11	primary insurer and if the Medicaid was supplemental,
12	getting the claims transferred over on medical stuff
13	because it had to go to the MCO and, then, I guess
14	maybe be taken to the vision provider?
15	DR. COMPTON: Or our Medicare/
16	Medicaid crossover.
17	DR. BURCHETT: Yes, things like
18	that.
19	DR. COMPTON: And if you've got
20	a diabetic on Medicare.
21	MR. SMITH: So, for Anthem and
22	with EyeQuest, we do have the arrangements you guys
23	are talking about where we do the routine and, then,
24	Anthem does all the medical.

I mean, honestly, in my

opinion, they both have their pros and cons. I know we had those misdirected claims, right, and we have a process for that. That can happen, things like that. I think you guys just mentioned that. Some crossover stuff does happen from time to time, too.

DR. COMPTON: The example I was going to use, you have a Medicare patient with Medicaid secondary, a diabetic.

We do a comprehensive exam, a 92014 to Medicare. They pay 80%. It goes to Medicaid and they don't use those 92000 codes. They just like to relegate those to routine benefits. That's not the definition of a CPT but that's commonly how it's used and then you get a rejection.

MS. BATES: So, a couple of things. One, I can't tell the TAC what recommendations to make. So, I feel like if the TAC wants to make that recommendation, they should go ahead and make that recommendation just so that way it's documented and it's out there. So, I will just say that with regard to that and contracts and stuff.

What I'm really hearing is that Avesis or the MCO or whoever needs to do a little bit more work in that department until there is a resolution because 80% of the issue shouldn't be

1	that, right? That should be worked out.
2	DR. COMPTON: Eighty is a number
3	that I just took
4	MS. BATES: Right. Well, but we
5	only remember the bad stuff, right? So, it's
6	probably really more like 60 or 50.
7	DR. COMPTON: We'll say the
8	majority. There's who knows.
9	MS. HOLMAN: Like, I was having
10	to change the diagnosis to send it to them and to get
11	them to pay the
12	MS. BATES: Right. Right, which
13	I'm glad that our Program Integrity person is not
14	here.
15	DR. COMPTON: Well, that's still
16	a legit diagnosis.
17	MS. HOLMAN: When Medicare paid
18	it with the diabetic diagnosis, to me, Medicaid
19	should, too.
20	MS. BATES: So, I suspect you
21	will probably get some direct interaction with that
22	but go ahead and make your recommendation and, then,
23	we'll try to figure it out, too.
24	DR. COMPTON: If it's legal, I
25	would love to sit down and just talk but I don't know

if we can do that.

if you've noticed

MS. BATES: Well, I don't know if you've noticed but all the TAC rules that were going on before aren't happening now.

 $\label{eq:decompton:well, we're still} $$ \text{subject to open meetings.}$ 

MS. BATES: If you all meet---DR. BURCHETT: So, the three of
us couldn't be at a meeting and sit down and talk
about TAC stuff.

MS. BATES: I don't know. We're not attorneys, so, keep that in mind, too.

MS. HUGHES: Based upon some Q&A's that the Attorney General's Office put out, it kind of implies that, but that does not mean that, like, Dr. Compton, you can't pick up the phone and call them or even right now, you could have a conversation with them and try to get something going.

MS. ALLEN: I know that Dr. Levy is very interested in continuing the discussions.

We've had a number of discussions previously. So, if it's something that we can work out to work with you and the KOA directly, we would welcome that opportunity.

We've talked about introducing the S codes into Kentucky but the S codes are not linked by the Board. So, there are different options that we have, but it is difficult to utilize one set of procedure codes to administer to benefits and that's what we're doing.

So, we would like to identify a resolution for that. And, again, Dr. Levy would be more than happy to come out. I wish I could speak to it better but clinical is not my forte and I will probably get us in trouble if I tried.

So, if it is something that we could please allow open lines of communication with Dr. Levy, that would be great.

DR. COMPTON: Here's another thing. It says here for quality of care and outcomes. I've got a Medicaid recipient, diabetic but they're also near-sighted. So, it's much easier for me to put that near-sighted code. It goes through. Everything is smooth, but you can't track how many diabetic patients have had their eye exam.

MS. ALLEN: I think in the 2020 codes, there were four new procedure codes that identified diabetic members. And, again, I'm about to get myself in trouble because it's not my area of

1 expertise but I have coordinated the system getting 2 updated to allow those new codes. 3 So, there are some things I 4 think that we may be able to do based upon the 2020 5 codes that were released, but if we could talk about it and if I could have the appropriate team members 6 7 here because I'll get us in trouble. 8 DR. BURCHETT: Well, my other 9 question, too, if we decide or don't decide to make that recommendation, if we've already made it, do we 10 have to make it again? 11 12 MS. BATES: I would. 13 DR. BURCHETT: Okay. fine. 14 15 MS. BATES: Especially if it's 16 been a year or whatever you said. I obviously didn't even know about it if that tells you anything. 17 18 DR. BURCHETT: Okay. Fair 19 enough. 20 DR. COMPTON: If we don't make 21 it now, the new contracts are for what period of 22 time? 23 MS. BATES: It doesn't matter 24 when the - you're associating the recommendation, a

policy with the contract and they're not related.

1	It's not going to be related.
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3	DR. COMPTON: I've got no
4	prob0em with us making that recommendation to the
5	MAC.
6	DR. BURCHETT: A second?
7	DR. SAWYER: I'll second.
8	DR. COMPTON: And in the
9	interim, we may get it fixed.
10	DR. BURCHETT: So, we have a
11	motion and a second. Any more discussion? All in
12	favor?
13	MS. ALLEN: Will this be
14	presented at the next MAC meeting?
15	DR. BURCHETT: Yes, I would
16	assume.
17	MS. HUGHES: Did you all want to
18	request that the person she is referring to come and
19	talk to you at your next TAC meeting?
20	MS. ALLEN: He will be here.
21	DR. COMPTON: He's real good at
22	talking. We just want him to listen.
23	And here's the other thing. If
24	a nurse practitioner treats pink eye, they will bill
25	a vision plan. They'll bill the MCO if it's the eye.

1	DR. BURCHETT: Well, any other
2	New Business? Any other questions that we might have
3	for the Department?
4	MS. BATES: We have emails if
5	you think of something.
6	DR. BURCHETT: So, we need a
7	motion to adjourn.
8	DR. UPCHURCH: I will make a
9	motion.
10	DR. COMPTON: Second.
11	DR. BURCHETT: So moved.
12	MEETING ADJOURNED
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